

What is the Central Solvency Registry?

Both the Flemish Bar Association and the French and German Bar Association will organise a 'Central Solvency Registry'. This new registry is an electronic database in which all bankruptcy files will be stored and kept. By doing so, bankruptcy procedures will be fully conducted digitally.

The foundation of the Central Solvency Registry (RegSol) fits within the digitalization of the Justice Department. It starts with the digitally filing of debt claims. The Central Solvency Register contains all information and documents relating to the bankruptcy procedure. These are a.o. all data and documents the official receiver requires to determine the liabilities of the person who went bankrupt, such as claims, debts, minutes of verification, ...

Each bankruptcy file opened after 1 April 2017 will be saved in the Central Solvency Registry instead of with the griffiar of the commercial court. The retention period for all data in a bankruptcy procedure amounts to thirty years, starting as from the judgment closing the bankruptcy. After a certain period of time the information is transferred to the National archives.

Belgian natural persons and foreign legal entities which are not represented by a counsel (specially authorized agent), are not obliged to file their documents digitally. They can deposit these with the official receiver, who will take care of the upload (www.regsol.be).

Access to the registry

The Central Solvency Registry is open for:

- magistrates, griffiars, the prosecution office, official receivers, ... when fulfilling their legal assignments;
- bankrupt persons, creditors and third parties providing professional legal assistance (lawyers within the scope of bankruptcy);
- the manager of the registry.

All these persons are bound by professional secrecy.

Processing of personal data in the registry

With respect to the bankrupt person, the creditors, the official receivers and the judges the following categories of personal data are processed in the registry:

- the unique identification data of the person concerned, a.o. name and first name of the physical person or the name of the legal person; nationality; profession; unique identification number; the address in the population registry or company address;
- the legal data of the bankruptcy file; the amount of the debts; name and capacity of the party in the procedure.

Retribution

When wanting to consult or manage the bankruptcy file through the Central Solvency Registry or to file debts, a retribution (called the 'fee') is due as from 1 April 2017. The amount of the retribution is subject to an annual indexation.

The creditor filing debts (whether or not with consultation of the file) or wanting to consult the file without filing debts pays a retribution of 6€.